



# Sydney Harbour Federation Trust

## Sale and Supply of Alcohol on Harbour Trust Land – Frequently Asked Questions

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The Harbour Trust acknowledges the Traditional Custodians of the lands and waters of Sydney Harbour, and of the sites under our stewardship: the Borogegal, Birrabirrigal, Cammeraygal, Gadigal, Gayamagal, Wallumedegal and Wangal People.

Harbour  
Trust



Australian Government  
Sydney Harbour Federation Trust



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## Introduction

The Harbour Trust is the authority responsible for issuing permits for the sale or supply of alcohol on Sydney Harbour Federation Trust (Harbour Trust) land. This document outlines the Harbour Trust's processes for issuing liquor permits and for enforcing compliance with permit conditions and Responsible Service of Alcohol (RSA) principles.

The Harbour Trust's powers are established under the *Sydney Harbour Federation Trust Act 2001*, and permits may be issued under the *Sydney Harbour Federation Trust Regulations 2021*. Penalties for non-compliance with a permit, or the sale or supply of alcohol without a permit, may be imposed under the *Sydney Harbour Federation Trust Regulations 2021* may also apply.

Permits (with conditions) are issued under sections 9 and 10 of the *Sydney Harbour Federation Trust Regulations 2021*.

In formulating its permits and monitoring compliance, the Harbour Trust has regard for relevant NSW legislation and guidelines including the *Liquor Act 2007*, *Liquor Regulation 2018*, *Liquor Promotion Guidelines* and *Music Festivals Act 2019*.

Access legislation at [www.austlii.edu.gov.au](http://www.austlii.edu.gov.au)

The Harbour Trust also liaises with NSW Police, Liquor and Gaming NSW and Councils in issuing and monitoring compliance with liquor permits.

The Harbour Trust uses the term liquor permit to avoid confusion with area licences issued by the Harbour Trust and liquor licences issued by other Australian jurisdictions.

**Note: The Harbour Trust uses the term "Liquor Permit" to avoid confusion between area licences issued by the Harbour Trust, and liquor licences issued by other Australian jurisdictions.**

Please see responses to Frequently Asked Questions below.

## What type of liquor licences does the Harbour Trust issue?

The Harbour Trust issues the following types of Liquor Permits:

- On-premises permits, for restaurants, cafes, function centres, bars and the like.
- Special event permits, for short term events, such as birthday parties, concerts and festivals

## Who can apply for a Liquor Permit?

- Applicants must hold a licence or lease for a building, premises or event on Harbour Trust land.
- Applicants must be organisations (not individuals). Suitable organisations include corporations, partnerships, associations, not-for-profit organisations and statutory authorities.
- You must nominate the permit holder for the licensed business or event. This is the person who will have day-to-day responsibility for managing the licensed premises or event. If the permit holder will not be on site at all times when alcohol is sold or supplied, an alternate permit holder will be required.

## What qualifications are needed to apply for a Liquor Permit?

- The person nominated as the permit holder (and the alternate permit holder) must hold Responsible Service of Alcohol certification that is valid in NSW. All staff involved in the service of alcohol must also hold Responsible Service of Alcohol certification that is valid in NSW.

## How much does it cost to apply for a Liquor Permit?

- The fee for a Liquor Permit on Harbour Trust land is between \$500 and \$1750 (depending on the duration of the event/capacity of the premises). The schedule of fees is in section 59 of the *Sydney Harbour Federation Trust Regulations 2021*.
- A bond may also be payable, depending on the style and nature of operation, the location of the licensed business or event, expected clientele, and risk of damage to property.
- A lease/licence and relevant planning approval must also be in place or under assessment by the Harbour Trust.
- Annual fees are applied on a pro-rata basis.

### On-Premises Permit – per annum

Maximum number of patrons per day	Annual Permit Fee
1 - 74	\$1,250
75 +	\$1,750

### Special Event Permit – per event

Maximum number of patrons per day	Duration of Event – Permit Fee	
	1 – 4 Calendar days	5+ Calendar Days
1 - 74 patrons	\$500	\$1,250
75 + patrons	\$1,000	\$1,750

## If I have a liquor licence issued by the Liquor and Gaming NSW, do I need a separate Liquor Permit from the Harbour Trust?

- Yes, under the *Sydney Harbour Federation Trust Regulations 2021*, a separate Harbour Trust-issued Liquor Permit will be required to sell or supply alcohol on Harbour Trust land.
- Applicants should provide the Harbour Trust with a copy of their NSW liquor licence when applying for a Liquor Permit on Harbour Trust land. This will expedite the Harbour Trust's assessment of the application.

## What documentation must be submitted when applying for a Liquor Permit?

- Completed application form
- Payment of relevant fee
- Copies of RSA certification
- National Police Check
- Copies of any liquor licences issued in NSW or another Australian jurisdiction

- Written documentation that demonstrates how any environmental, heritage and community impacts of the proposed activity will be managed. Also confirmation of how compliance with the Building Code of Australia can be achieved. For example:
  - Security, noise management and transport management plans;
  - Risk assessment;
  - COVID 19 plans;
  - Plans showing all temporary or permanent structures that will be used as part of the event/activation or premises; and
  - Details of sanitary facilities, disabled access and fire safety measures.

## How long does it take to process an application for a Liquor Permit?

- We recommend you allow at least 4 weeks for the Harbour Trust to process your application. More complex applications or those that require additional consultation may take longer to assess. This includes liquor permits for events or new premises.
- Submitting all required information with your application, and prompt payment of the relevant fee, will expedite the processing of your application.
- The Harbour Trust may also seek comments from NSW Police, Liquor and Gaming NSW and the local Council regarding your application. Ensure you allow sufficient time for this consultation to take place.

## What conditions apply to Liquor Permits?

### Liquor permits are legally binding documents that specify

- The dates for which the permit is valid;
- The name and address of the permit holder and approved premises;
- A plan showing the area to which the permit applies; and
- The days and times that alcohol may be sold or supplied.

### Conditions in liquor permits may include (but are not limited to)

- Responsible Service of Alcohol principles must be adhered to at all times;
- Requirement for free drinking water and a suitable food offering to be available whenever alcohol is sold or supplied;
- Requirement for drinks to be limited (quantity and/or type) to manage alcohol intake;
- Requirement for security staff to be on site and manage crowd behaviour;
- Alcohol to be served in plastic cups;
- No serving shots or double shots;
- Maintenance of a register containing copies of RSA certificates; and
- Maintenance of a register recording any alcohol-related incidents that may have occurred in the premises or during the event.

## How does the Harbour Trust monitor compliance with Liquor Permit conditions?

- Liquor permits include conditions designed to ensure the responsible service of alcohol on Harbour Trust sites.
- Harbour Trust Rangers, security staff, NSW Police and other authorised personnel are authorised to enter licensed premises and request to view Liquor Permits, RSA certificates and incident registers.
- Non-compliance with conditions can result in a range of measures including fines; non-return of bonds; Liquor Permits being withdrawn and premises or events made to cease serving alcohol or close down; and refusal of future Liquor Permits or licences or leases for buildings or events.

## I would like to open a new bar or restaurant on Harbour Trust land. What do I need to do?

Contact the Harbour Trust to discuss your proposal. If the Harbour Trust supports your proposal, you will be invited to:

- Enter into a lease or licence agreement for the premises;
- Submit an application for a planning permit (DA) relating to the proposal including details of any temporary or permanent works and structures; and
- Apply for a Liquor Permit (including providing completing the Liquor Permit application form, supplying relevant supporting information and paying the relevant fee).

## I am the new manager of an existing licensed premise on Harbour Trust land. How do I transfer the current Liquor Permit into my name?

- Advise the Harbour Trust in writing of your request, attaching a copy of your current RSA certification and Police Check (the Harbour Trust will advise if any further documentation is required).
- The Harbour Trust will review your request and, if appropriate, issue a new Liquor Permit certificate reflecting the change of name.

## Can I transfer my Liquor Permit to another premises?

- No. Liquor permits issued by the Harbour Trust are not transferrable to another premises, or to a different premise if an existing premise is no longer in operation.

## I have hired a building for my birthday or wedding – do I need a Liquor Permit?

- Your licence agreement will state that if any alcohol is to be sold or supplied, it is to be in accordance with Responsible Service of Alcohol provisions, and if a Liquor Permit issued under the *Sydney Harbour Federation Trust Regulations 2021* is required.
- Your caterer or wait staff must supply a copy of their RSA certification to the Harbour Trust prior to the event.

## I am an existing Harbour Trust lessee and would like to hold a special event involving the sale or supply of alcohol in my premises. What do I need to do?

- Contact your leasing officer to clarify if a separate licence, Liquor Permit or other approval for the event is required.
- Any such approval would require you to ensure the sale or supply of alcohol is in accordance with Responsible Service of Alcohol provisions.
- Your caterer or wait staff must supply a copy of their RSA certification to the Harbour Trust prior to the event.

## How long is a Liquor Permit valid for?

- On-premises permits are usually valid for 12 months, unless the lease or licence for the premises is for a shorter period.
- Special event permits are valid for the duration of the event only.

## How do I renew an existing liquor permit?

- Current permit holders may apply to renew an existing liquor permit.
- Permit holders must advise the Harbour Trust of any proposed changes to the current operation (such as a new permit holder, or a change to the licensed area, hours of service or other operational matters). Any material change in operations will require the submission of supporting documents and a lengthier assessment process.
- The Harbour Trust will issue renewal documentation to the nominated permit holder for signature, and an invoice for payment. Relevant documentation must be displayed for the duration of the period nominated on the liquor permit.

## Concerts and music events on Harbour Trust land

- The Harbour Trust requires promoters of all concerts and music festivals on Harbour Trust land, that are ticketed and have a capacity of at least 1500 patrons, to be registered on the NSW Government's Early Notification website: <https://www.nsw.gov.au/working-and-business/music-festivals>
- Concerts and music events that are defined as "music festivals" under the NSW *Music Festivals Act 2019* may require a Safety Management Plan to be submitted to the NSW Independent Liquor and Gaming Authority (ILGA) for approval.
- Promoters must allow adequate time for consultation with NSW Police and ILGA in relation to music events on Harbour Trust land.

## Do officers of Liquor and Gaming NSW undertake inspections on Harbour Trust land?

- No, under the *Sydney Harbour Federation Trust Regulations 2021*, Harbour Trust rangers and NSW Police undertake inspections of premises hold a liquor permit for the sale or supply of liquor on Harbour Trust land.
- Harbour Trust rangers can issue fines for non-compliance with conditions of a liquor permit under the *Sydney Harbour Federation Trust Regulations 2021*. NSW Police can also issue infringements on Harbour Trust land.

## Consequences of non-compliance with Permit Conditions

- The Harbour Trust may issue infringement notices and impose fines for non-compliance with permit conditions or liquor legislation. Infringements issued under Section 28 of the *Sydney Harbour Federation Trust Regulations 2021* for the sale or supply of liquor on Harbour Trust land without a permit, or the sale supply of liquor to a person who is under 18 years of age are 10 penalty units, currently the equivalent of \$2,220.
- Fines are typically issued to the principal permit holder, although in certain cases fines may be issued to both the permit holder and the staff involved.
- Non-compliance with conditions can result in a range of measures including fines; non-return of bonds; permits being withdrawn and premises or events made to cease serving alcohol or close down; and refusal of future permits. NSW Police may also issue infringements.

## How do I apply for a Liquor Permit?

- Visit the Harbour Trust website and download the Application for a Liquor Permit form.
- Complete the form and attach relevant documents, including a Police Check, RSA certification, security, noise and traffic management plans.
- Pay the relevant fee.
- The Harbour Trust will consult with NSW Police, Liquor and Gaming NSW and the local council regarding applications.
- Allow plenty of time to obtain your Police Check and for the Harbour Trust and other agencies to complete their assessment of your application, prior to the commencement of trade/your event.

## Further Information and Contacts

Visit the Harbour Trust's website for more information about leasing and event applications and liquor permits: [www.harbourtrust.gov.au](http://www.harbourtrust.gov.au) If you have any questions in relation to the assessment process, please contact the Harbour Trust via [planning@harbourtrust.gov.au](mailto:planning@harbourtrust.gov.au) or (02) 8969 2100.